

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed September 21, 2004. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Claim Objections**

Claim 21 has been objected to for lacking antecedent basis for the term “selected composition”.

In response to that objection, Applicant has amended claim 21 to provide proper antecedent basis for the term “selected composition”. In view of that amendment, Applicant respectfully submits that claim 21 is not objectionable, and respectfully requests that the objection be withdrawn.

### **II. Claim Rejections - 35 U.S.C. § 102(e)**

Claims 1-3, 8, 10-13, 15, 19, and 22-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Moyer, et al. (“Moyer,” U.S. Pub. No. 2002/0174206A1). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” W. L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983)(emphasis added). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

As is indicated in the foregoing, Applicant has amended or canceled each of the above-noted claims. In view of those amendments/cancellations, Applicant respectfully

submits that the rejection is moot as having been drawn against the claims in a previous form. Applicant briefly discusses the Moyer reference and Applicant's claims in the following, however, for the Examiner's consideration.

Moyer discloses a web-based file manipulating system. In that system, a software component (e.g., an applet) is downloaded from a web site and is executed within a browser that resides on a client computer. Moyer, paragraphs 0044-0047. The software component transfers data (e.g., digital images) from a peripheral device (e.g., digital camera) that is connected to the client computer. Moyer, paragraphs 0043, 0048. The data can then be selected by a user and then stored to the client computer and/or uploaded to a website. Moyer, paragraph 0049.

From the above description of the Moyer system, Moyer's software component retrieves selected data (e.g., digital images) from the peripheral device (e.g., digital camera) that is connected to the client computer on which the browser resides. In contrast, Applicant describes a system in which camera content that executes within a browser that resides on a client computer *requests selected imaging data from a camera web service that is linked to a digital camera*. Accordingly, in Applicant's system, the camera content is configured to use the camera web service as an agent for retrieval of selected imaging data.

In view of the aforementioned distinction, Moyer at least does not anticipate "responsive to the selection, requesting selected imaging data from the camera web service via a network communication using the camera content" as provided in claim 13, or a camera web service that is configured to "receive a request for selected imaging data from the camera content via a network communication", "request the selected imaging data from a digital camera to which the camera web service is

linked”, and “transfer the selected imaging data from the digital camera to the camera content via a network” as provided in claim 22.

Due to the aforementioned shortcomings of the Moyer reference, Applicant respectfully asserts that Moyer does not anticipate Applicant’s claims. Therefore, Applicant respectfully requests that the rejection of these claims be withdrawn.

### **III. Claim Rejections - 35 U.S.C. § 103(a)**

#### **A. Rejections Under Moyer**

Applicant’s claims 4-6, 7, 9, 14, 16-18, and 20 have been rejected under Moyer in view of various different teaching references. Given that, Applicant has amended or canceled each of the above-noted claims, however Applicant respectfully submits that the rejections are moot as having been drawn against the claims in a previous form. Furthermore, Applicant refers to the discussion regarding the deficiencies of the Moyer reference provided in relation to the rejections under 35 U.S.C. § 102.

#### **B. Rejection of Claim 21**

Claim 21 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Narayen in view of Morris. Applicant respectfully traverses this rejection.

As is noted above, Applicant has amended claim 21. In view of that amendment, Applicant respectfully submits that the rejection is moot as having been drawn against claim 21 in a previous form. Applicant briefly discusses the Moyer reference and Applicant’s claims in the following, however, for the Examiner’s consideration.

Neither Narayen nor Morris disclose camera content that is configured to “be transmitted to a requesting browser executing on a client computer”, “receive selected

imaging data transferred from a camera web service via a network”, “automatically save the selected imaging data to an imaging data store of the client computer”, or “automatically create an imaging composition that includes a link to the selected imaging data” as is required by claim 21. At least for this reason, claim 21 is allowable over Narayen and Morris. Applicant therefore respectfully requests that the rejection be withdrawn.

#### **IV. Canceled Claims**

As identified above, claims 1-12, 15-16, 19, and 23 have been canceled from the application through this Response without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

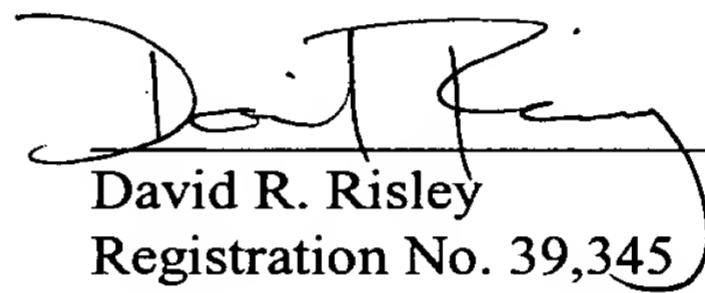
#### **V. New Claims**

As identified above, claims 24-37 have been added into the application through this Response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

## CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

11-12-04

Mary Meegan  
Signature